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4 CLAY WHITEHEAD,
5 Plaintiff,
6 v.
7 PRESENCELEARNING, INC., et al.,
8 Defendants.
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10 Case No. 23-cv-02247-YGR (TSH)
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13 **DISCOVERY ORDER**
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15 Re: Dkt. No. 44
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17 In ECF No. 52, the Court ordered Defendants to submit the attorney-client
18 communications between Brian Rich and Latham & Watkins concerning Clay Whitehead's
19 separation agreement (through the date the agreement was executed) for *in camera* review so the
20 Court could determine if the crime-fraud exception to the attorney-client privilege applies to any
of them. Defendants provided those emails on October 17, 2024. The Court has reviewed the
1,932 pages of emails that were submitted and concludes that the crime-fraud exception is not
applicable. Accordingly, the Court **SUSTAINS** Defendants' claim of privilege over these emails
and **DENIES** Plaintiff's motion to compel their production.

21 This order terminates ECF No. 44.
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23 **IT IS SO ORDERED.**
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25 Dated: October 21, 2024
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THOMAS S. HIXSON
United States Magistrate Judge